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April 9, 2020

**BY ECF**

Honorable Judge Naomi Reice Buchwald  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *Edward Guillen v. City of New York, et al.*,  
19 Civ. 11784 (NRB) (DCF)

Your Honor:

I am a Senior Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York, and the attorney recently assigned to represent defendants City of New York, Michael Dappolonia and Amanda Knapp in the above-referenced matter, which is designated for participation in the Local Civil Rule 83.10 Plan for Certain § 1983 Cases Against the City of New York. ECF No. 2. I write to respectfully request a 90 day stay of this matter, *nunc pro tunc* from April 6, 2020 to July 6, 2020.<sup>1</sup> Plaintiff's counsel, Samuel DePaola, consents to this request.

As the Court is aware, the country is currently grappling with the COVID-19, or coronavirus pandemic, and a state of emergency has been declared nationally and in New York. In light of pronouncements from government and judicial officials, associated policies, expert recommendations, and the further spread of COVID-19, the New York City Law Department has instructed that individuals work from home to ensure compliance with public policy directives, and to protect individuals from further community spread of the virus.

Of course, this crisis, and working from home create a number of challenges that directly impact litigation and the City's ability to comply with current deadlines. The City has not been

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<sup>1</sup> Pursuant to Local Civil Rule § 83.10(3), the deadline to answer for the City of New York as well as defendants Yeraldly Bonifacio and Michael Dappolonia was April 6th. I was first assigned to the defense of this matter on April 7th, and my Office sincerely apologizes to the Court that this application is submitted after the deadline.

able to meet with defendants Jose Toribio and Yeraldy Bonifacio. Further, at present, the New York City Police Department is under tremendous strain as thousands of officers are themselves out sick. *See, e.g.*, Madeline Holcombe, CNN, “12 NYPD members have died from suspected cases of coronavirus and nearly 20% of its uniformed workforce is out sick” (Apr. 7, 2020) (available at <https://www.cnn.com/2020/04/07/us/nypd-coronavirus-out-sick/index.html>) (reporting that on April 6, nearly 7,000 uniformed members of the NYPD were out sick). It is anticipated that this personnel strain at the Police Department will frustrate defendant City’s ability to obtain necessary documents to engage in discovery in this matter, including documents that must be produced pursuant to Local Rule 83.10(5)(a)(i).

Accordingly, the undersigned requests that the Court grant a 90 day stay of this matter to July 6, 2020.

Thank you for your consideration of this matter.

Respectfully submitted,

/s/ Kiran H. Rosenkilde

Kiran Rosenkilde

Senior Counsel

Special Federal Litigation Division

cc: Samuel DePaola (By ECF)  
*Attorney for Plaintiff*

Application granted.  
Dated: April 10, 2020

**SO ORDERED.**

A handwritten signature in blue ink, appearing to read "Naomi Reice Buchwald", is written over a horizontal line.

NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE